

1 REMARKS/ARGUMENTS

2 The invention of Group I, claims 1-14, is elected, without
3 traverse, in response to the Examiner's restriction requirement.

4 In the specification, the paragraphs beginning at page 8, line
5 7; and page 14, line 19 have been amended to correct minor
6 editorial problems. The amendments to the specification also cure
7 certain problems the Examiner has noted with regard to the
8 correspondence of the specification and the drawings.

9 Claims 1-19 remain in this application. Claim 7 has been
10 amended to become dependent on claim 1. New claim 18 is directed
11 to the composition of the compliant film material. New claim 19
12 is directed to the structure of the flexible membrane.

13 Claims 15-17 have been withdrawn pursuant to the non-election
14 of the method claims.

15 The examiner has acknowledged that claims 6 and 11 are
16 directed to allowable subject matter. Claims 6 and 11 have been
17 amended, in form only, without any new limitations and should be
18 in condition for allowance.

19 In response to the Office Action of Nov. 17, 2004 Applicant

1 requests re-examination and reconsideration of this application for
2 patent pursuant to 35 U.S.C. 132.

3 **Objections to the Claims**

4 Claim 14 has been objected to for the inclusion of a
5 misspelled word. The spelling has been corrected by this
6 amendment.

7 **Rejections under 35 USC 102(b)**

8 Claims 1-5, 7-10, 12 and 13 stand rejected as anticipated by
9 Aufdermarsh et al. The Aufdermarsh device and the claimed device
10 are direct opposites of each other. The Aufdermarsh shell is a
11 rigid enclosure to protect electronic equipment from stresses and
12 strains exerted in a well hole while the equipment is detecting and
13 measuring formations outside the shell and outside the well hole
14 as it is moved through the well. During use, the interior of the
15 shell of the Aufdermarsh device is pressurized, in the range of 170
16 MPa, to counterbalance the well hole pressures.

17 The claimed device is a compliant, flexible envelope used to
18 encapsulate a test sample and moves with the forces applied against
19 the encapsulated sample. The inside of the membrane and the test
20 sample therein are separated from the pressure outside the membrane
21 in the test chamber. The test sample is placed in a test chamber
22 to be subjected to stresses and strains to determine the
23 characteristics of the sample inside the test chamber and inside

1 the membrane. Equipment embedded in the walls of the envelope
2 measure the stresses, strains and deformations of the sample and
3 must remain in intimate contact with the sample during all
4 fluctuations to record the results. Thus, the claimed device is
5 used to measure changes in the sample inside the envelope.

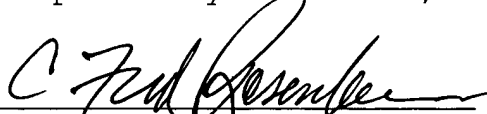
6 Therefore, the Aufdermarsh device does not anticipate the
7 claimed invention nor can it perform the functions claimed.

8 SUMMARY

9 In light of the foregoing remarks and amendment to the claims,
10 it is respectfully submitted that the Examiner will now find the
11 claims of the application allowable. Favorable reconsideration of
12 the application is courteously requested.

13 Respectfully submitted,

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